

1 K. Lee Marshall (SBN 277092)
2 Abigail Cotton (SBN 306121)
3 BRYAN CAVE LEIGHTON PAISNER LLP
4 Three Embarcadero Center, 7th Floor
5 San Francisco, CA 94111-4078
6 Telephone: (415) 675-3444
7 klmarshall@bclplaw.com
8 abby.cotton@bclplaw.com

9 David A. Roodman (application for *pro hac vice* to be submitted)
10 BRYAN CAVE LEIGHTON PAISNER LLP
11 One Metropolitan Square, 36th Floor
12 St. Louis, MO 63102
13 Telephone: (314) 259-2000
14 daroodman@bclplaw.com

15 Attorneys for Plaintiffs
16 *Fluidigm Corporation and Fluidigm Canada Inc.*

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 FLUIDIGM CORPORATION, a Delaware
15 corporation; and FLUIDIGM CANADA INC.,
16 a foreign corporation,

17 Plaintiffs,

18 v.

19 IONPATH, INC., a Delaware corporation,

20 Defendant.

Case No. 3:19-cv-05639-WHA

**STIPULATION UNDER CIVIL L.R. 6-
1(A) EXTENDING TIME FOR
DEFENDANT TO ANSWER, MOVE OR
OTHERWISE RESPOND TO FIRST
AMENDED COMPLAINT**

21
22 WHEREAS, Plaintiffs Fluidigm Corporation and Fluidigm Canada Inc. (collectively,
23 “Fluidigm”), filed their complaint in this matter on September 6, 2019, and filed their First
24 Amended Complaint October 11, 2019;

25 WHEREAS, this case was assigned to United States District Judge William Alsup on
26 September 25, 2019, after having originally been assigned to Magistrate Judge Joseph C. Spero;

27 WHEREAS, following the reassignment, the Initial Case Management Conference is set
28 for December 5, 2019;

1 WHEREAS, Defendant IONpath, Inc. ("IONpath") has not yet appeared in this action and
2 desires, and Fluidigm agrees, to provide IONpath with additional time to answer, move or
3 otherwise respond to the First Amended Complaint; and

4 WHEREAS, this is the first extension of time in this matter and will not alter the date of
5 any event or any deadline already fixed by Court order;

6 IT IS HEREBY STIPULATED AND AGREED by Fluidigm, pursuant to Civil Local
7 Rule 6-1(a), that Defendant IONpath, Inc. may have to and including November 18, 2019, to
8 answer, move or otherwise respond to the First Amended Complaint.

9
10 Dated: October 21, 2019

K. Lee Marshall
BRYAN CAVE LEIGHTON PAISNER LLP

11
12
13 By: /s/ K. Lee Marshall
14 K. Lee Marshall

15 Attorneys for Plaintiffs
16 *Fluidigm Corporation and Fluidigm Canada*
17 *Inc.*
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I am employed in the aforesaid County, State of California; I am over the age of eighteen years and not a party to the within entitled action; my business address is: Three Embarcadero Center, 7th Floor, San Francisco, CA 94111.

On October 21, 2019, I caused to be served on the interested parties in said action the within:

**STIPULATION UNDER CIVIL L.R. 6-1(A) EXTENDING TIME FOR
DEFENDANT TO ANSWER, MOVE OR OTHERWISE RESPOND TO FIRST
AMENDED COMPLAINT**

by placing a true copy thereof in a sealed envelope addressed as follows:

IONpath
960 O'Brien Drive
Menlo Park, CA 94024

[X] BY MAIL - I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[] BY OVERNIGHT DELIVERY - Depositing the above document(s) in a box or other facility regularly maintained by FedEx in an envelope or package designated by FedEx with delivery fees paid or provided for.

[] BY E-MAIL - I caused a true copy of the foregoing document(s) to be served by electronic email transmission at the time shown on each transmission, to each interested party at the email address shown above. Each transmission was reported as complete and without error.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 21, 2019, at San Francisco, California.

/s/ Bridgette Warren
Bridgette Warren